

REMARKS

Claims 1-11 are pending for examination in this matter. Of these, claim 11 stands rejected under 35 USC §102(b) as being anticipated by Yeatts, US4,239,458. In response to this rejection, Applicant cancels claim 11 pursuant to the foregoing amendment.

Claims 1-10 are rejected under the judicially created doctrine of obviousness type double patenting rejection as being unpatentable over claims 1-10 of US6,644,399. In response to the obviousness type double patenting rejection, Applicant submits herewith a terminal disclaimer.

The Examiner has questioned whether Applicant properly claimed priority to the parent application, United States Application Serial Number 10/057,727, now United States Patent Number 6,644,399. Applicant has included related application data in the amendment to the specification filed herewith. Applicant, however, points out to the Examiner that a proper priority claim was made in the utility patent application transmittal submitted with the pending application and the application data sheet submitted therewith. Copies of the application transmittal and application data sheet are included with this amendment and response for the Examiner's convenience.

The application is believed to be in a condition for allowance. Applicant respectfully requests that the foregoing amendments be entered and that a notice of allowance be issued. The Examiner is encouraged to contact the undersigned by telephone if a conversation would expedite prosecution of this matter.

The undersigned hereby authorizes the charge of any deficiency of fees submitted herewith, or the credit of any overpayment, to deposit account number 19-5117.


Respectfully Submitted,

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cc: Sim & McBurney
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